Attorney Docket No.: INTEL1340-1 (P14243X)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Su et al.

Art Unit:

1637

Application No.:

10/667,776

Examiner:

Not Yet Assigned

Filed:

September 22, 2003

Title:

DETECTING MOLECULAR BINDING BY MONITORING

FEEDBACK CONTROLLED CANTILEVER DEFLECTIONS

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application please find:

- 1. Information Disclosure Statement (2 pages);
- Form PTO 1449 from parent, S/N 10/254,201, filed September 24, 2002 (5 2. pages);
- Form PTO 1449 (1 page); 3.
- Twelve references; 4.
- International Search Report (7 pages); and 5.
- Return Receipt Postcard 6.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on September 2, 2004, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box

1450, Alexandria, VA 22313-1450

Karen LePari

PATENT

In re Application of: Su et al.

Application No.: 10/667,776 Filed: September 22, 2003

Page 2

Attorney Docket No.: INTEL1340-1 (P14243X)

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement. This statement is being filed prior to receipt of a First Office Action on the merits. Also, the items of information contained in this statement cited in a communication from a foreign patent office in a counterpart foreign application, dated July 5, 2004, which is not more than three months prior to the filing of this statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee, or credit any overpayment, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: September 2, 2004

Lisa A. Haile, J.D., Ph.D. Registration No. 38,347 Telephone: (858) 677-1456

Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP ATTORNEYS FOR INTEL CORPORATION 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133 USPTO Customer Number 28213 Attorney Docket No.: INTEL1340-1 (P14243X)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Su et al.

Art Unit:

1637

Application No.:

10/667,776

Examiner:

Not Yet Assigned

Filed:

September 22, 2003

Title:

DETECTING MOLECULAR BINDING BY MONITORING

FEEDBACK CONTROLLED CANTILEVER DEFLECTIONS

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.97, enclosed are references relating to the aboveidentified application. For the convenience of the Examiner, these references are listed on the attached Form PTO-1449 and a copy of each reference, not previously cited in the parent application (S/N 10/254,201, filed September 24, 2040) is enclosed herewith. Additionally, references contained in the information disclosure statement, cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement, are also enclosed.

It is respectfully requested that these references be considered in the examination of this application and their consideration be made of written record in the application file.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on September 2, 2004, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box

1450, Alexandria, VA 22313-1450,

In re Application of:

Su et al.

Application No.: 10/667,776 Filed: September 22, 2003

Page 2

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement. This statement is being filed prior to receipt of a First Office Action on the merits. Also, the items of information contained in this statement cited in a communication from a foreign patent office in a counterpart foreign application, dated July 5, 2004, which is not more than three months prior to the filing of this statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee, or credit any overpayment, to Deposit Account No. 50-1355.

Respectfully submitted,

PATENT

Attorney Docket No.: INTEL1340-1 (P14243X)

Date: September 2, 2004

Lisa A. Haile, J.D., Ph.D. Registration No. 38,347 Telephone: (858) 677-1456

Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP ATTORNEYS FOR INTEL CORPORATION 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133 **USPTO Customer Number 28213**

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Wider the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

SEP 0 7 2004 (modified) INFORMATION DISCLOSURE TRANSTATEMENT BY APPLICANT

Substitute for form 1449A/PTO

(use as many sheets as necessary)

Sheet 1 of 5

Соп	nplete if known	
Application Number	10/254,201	
Filing Date	September 24, 2002	
First Named Inventor	Xing Su, et al.	
Group Art Unit	2856	
Examiner Name	Not yet assigned	\exists
Attorney Docket	42P14243	\dashv

	1	· — — —	U	S. PATENT DOCUMENTS	.	
Examiner Initials	Cite No.1	U.S. Patent Document Number	Ķind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passage or Figures Appear
		5,106,729		Lindsay et al.	04/21/1992	
		5,607,568		Zenharusern et al.	03/04/1997	
		5,866,328		Bensimon et al.	02/02/1999	
	·	6,033,852		Andle et al.	03/07/2000	
		6,073,484		Miller et al.	06/13/2000	**
		6,079,255		Binnig et al.	06/27/2000	···
		6,092,422		Binnig et al.	07/25/2000	
		6,123,819		Peeters	09/26/2000	
		6,194,148		Hori et al.	02/27/2001	
		6,280,939		Allen	08/28/2001	
		6,310,189		Fodor et al.	10/30/2001	
	·	6,325,904		Peeters	12/04/2001	
		6,379,895		Fodor et al.	04/30/2002	

		Foreign Pa	tent Document	ts		
Examiner's Initials	Date	Document Number	Country	Class	Sub- Class	Translation
	03/13/1997	WO 97/09584			1 01000	1141101411011

Examiner Signature	Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in

¹Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Su	bstitute for for	n 1449A	VPTO	Complete if known		
	(modi	,		Application Number	10/254,201	
	INFORMATION DISCLOSURE STATEMENT BY APPLICANT			Filing Date	September 24, 2002	
51A	STATEMENT BY APPLICANT		First Named Inventor	Xing Su, et al.		
(use a	(use as many sheets as necessary)			Group Art Unit	2856	
				Examiner Name	Not yet assigned	
Sheet	Sheet 2 of 5	5	Attorney Docket	42P14243		

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	T^2
		ABADAL, et al., "Non-Linear Static and Dynamic Behaviour of an Electrostatically	
		Excited Nanocantilever: Electrical Modelization and AFM Characterization," 9th	
		MEL-ARI/NID Workshop: 6-8 February 2002, Catania, Italy, 2 pages.	
		ABADAL, et al., "Fabrication and Modelling of a Nano-Cantilever for the	
		Development of Sub-Picogram Sensitivity Mass Sensor," TNT2000, 16 th -20 th October 2000, Toledo, Spain, 1 page.	
		AUGUSTIN, et al., "Progress Towards Single-Molecule Sequencing: Enzymatic	
		Synthesis of Nucleotide-Specifically Labeled DNA," Journal of Biotechnology 86 (2001) 289-301.	
		BALLATO, "Modeling Piezoelectric and Piezomagnetic Devices and Structures via	
		Equivalent Networks," IEEE Transactions on Ultrasonics, Ferroelectrics, and	
1		Frequency Control, Vol. 48, No. 5, September 2001 1189-1240.	
		BALLER, et al., "A Cantilever Array-Based Artificial Nose," Ultramicroscopy 82 (2000) 1-9.	
		BARDEA, et al, "Amplified Microgravimetic Quartz-Crystal-Microbalance Analyses	
		of Olignucleotide Complexes: A Route to a Tay-Sachs Biosensor Device," Chem., Commun., 1998 839-840.	
		BENNINK, et al., "Single-Molecule Manipulation of Double-Stranded DNA Using	
		Optical Tweezers: Interaction Studies of DNA with RecA and YOYO-1," Cytometry, 36: 200-208, 1999.	
		BHANSALI, "Research: Nanoporous Silica/Piezoelectric Cantilevers for Biosensing Applications," Retrieved from the Internet March 1, 2002,	
		http://www.princeton.edu/~cml/html/ research/biosensor.html, 3 pages.	
		CULLUM, et al., "The Development of Optical Nanosensors for Biological	
		Measurements," Trends in Biotech, September 2000, Vol. 18, 388-393.	
1/		DAVIS, et al., "Nano-Resonators for High Spatial Resolution Mass Detection,"	
		Retrieved from the Internet December 13, 2002,	
		http://www.nbi.dk/dfs/abs2000.ff16.html, 1 page.	

Examiner Signature	Date Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in

conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08A (08-00) Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Su	bstitute for for	m 1449A	/PTO	Con	nplete if known
	modi) DRMATION	DISCL		Application Number Filing Date	10/254,201 September 24, 2002
STA	STATEMENT BY APPLICANT		First Named Inventor	Xing Su, et al.	
(use as	(use as many sheets as necessary)			Group Art Unit	2856
				Examiner Name	Not yet assigned
Sheet	Sheet 3	3 of 5		Attorney Docket	42P14243

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the	
Examiner Initials	Cite No.1	item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	Т
		FABIAN, et al., "Fabrication of Micromechanical Cantilever Sensors for Nanoscale Thermal Detection," PSI Annual Report 1999, 1 page.	
		FRITZ, et al., "Translating Biomolecular Recognition into Nanomechanics," Science, Vol. 288, April 2000, 2 pages	
		GEORGE, "Microcantilever Sensor Research," Retrieved from the Internet January 21, 2002, http://www.chemistry.uah.edu/faculty/george/cantilever.html, 2 pages.	
		HANSEN, et al., "Cantilever-Based Optical Deflection Assay for Discrimination of DNA Single-Nucleotide Mismatches," Anal. Chem., 2001, 73, 1567-1571.	
		HARLEY, "Advances in Piezoresistive Probes for Atomic Force Microscopy," A dissertation submitted to the Department of Mechanical Engineering and the Committee on Graduate Studies of Stanford University in partial fulfillment of the requirements for the Degree of Doctor of Philosophy, March 2000, 140 pages.	
		ILIC, et al., "Mechanical Resonant Immunospecific Biological Detector," Applied Physics Letters, Volume 77, Number 3, July 2000, 450-452.	
		JENSENIUS, et al., "Micromechanical Bioprobes," Retrieved from the Internet January 21, 2002, http://www.nbi.dk/~biophys_meeting 99/abs44.html, 1 page.	
		KOLL, et al., "CMOS-Based Chemical Microsensors and Microsystems," Retrieved from the Internet March 1, 2002, http://www.iqe.ethz.ch/pel/annrep/annrep99/JB99_PEL_08.html, 5 pages.	
		LANG, et al., "An Electronic Nose Based on a Micromechanical Cantilever Array," Retrieved from the Internet, www.chem.ucla.edu/dept/Faculty/gimzewski/pub/UTAS.pdf, 4 pages.	
		LANG, et al., "Sequential Position Readout from Arrays of Microchemical Cantilever Sensors," Appl. Phys. Lett., 72(3), January 1998, 383-385.	
		LANG, et al., "An Artificial Nose Based on a Micromechanical Cantilever Array," Analytica Chimica Acta, 393 (1999) 59-65.	
		MEHTA, et al., "Single-Molecule Biomechanics with Optical Methods," <i>Science</i> , Vol. 283, March 1999, 7 pages.	

|--|

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in

conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Su	bstitute for for	n 1449A	VPTO	Complete if known			
	(modified) NFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/254,201			
		N DISCLOSURE	•	Filing Date	September 24, 2002		
, SIA	I EIVIEIVI D	TAPP	LICANI	First Named Inventor	Xing Su, et al.		
(use a	s many shee	ets as r	necessary)	Group Art Unit	2856		
				Examiner Name	Not yet assigned		
Sheet	4	of	5	Attorney Docket	42P14243		

	1	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	
		MÜLLER, et al., "Electrostatically Balanced Subnanometer Imaging of Biological	
-		Specimans by Atomic Force Microscope," <i>Biophysical Journal</i> , Volume 76, February 1999, 1101-1111.	
	-	SMITH, et al., "Inexpensive Optical Tweezers for Undergraduate Laboratories," Am. J. Phys., 67 (1), January 1999, pp. 26-35.	•
		TAMAYO, et al., "High-Q Dynamic Force Microscopy in Liquid and Its Application to Living Cells," <i>Biophysical Journal</i> , Volume 81, July 2001, 526-537.	
		VOLDMAN, et al, "Microfabrication in Biology and Medicine," Annu. Rev. Biomed. Eng., 1999, 401-425.	
		WALKER, et al., "Mechanical Manipulation of Bone and Cartilage Cells with 'Optical Tweezers'," FEBS Letters, 459 (1999) pp. 39-42.	
		WILSON, "A Practical Approach to Vibration Detection and Measurement,"	
		Retrieved from the Internet February 4, 2002,	
		http://www.sensormag.com/articles/0299/prac0299/mail.shtml, 19 pages.	
		WU, et al., "Origin of Nanomechanical Cantilever Motion Generated from Biomolecular Interactions," PNAS, Vol. 98, No. 4, February 2001, 1560-1564.	
		Yamaguchi, et al., "Adsorption, Immobilization, and Hybridization of DNA Studied by the Use of Quartz Crystal Oscillators," Anal. Chem. 1993, 65, 1925-1927.	
		Zhou, et al., "Microgravimetric DNA Sensor Based on Quartz Crystal Microbalance: Comparison of Oligonucleotide Immobilization Methods and the Application in Genetic Diagnosis," <i>Biosensors and Bioelectronics</i> , 16 (2001) 85-95.	
		"Single Cell Detection Using Micromechanical Oscillators," Biology and Chemistry, Project # 762-99," Retrieved from the Internet on January 7, 2003,	
0-112		URL:// <www.nnf.cornell.edu 200138.pdf="" 2001cnfra=""> 2 pages.</www.nnf.cornell.edu>	
		"Nanomechanical Cantilever Array Sensors," Retrieved from the Internet on January 7, 2003,	
		URL:// <http: inficon="" monet.physik.unibas.ch="" nose=""> 5 pages.</http:>	

Examiner Signature	Date	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in

conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document wIPO Standard St.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08A (08-00) Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO				Complete if known		
	(modi	,		Application Number	10/254,201	
	PRMATION			Filing Date	September 24, 2002	
SIA	TEMENT B	YAPP	LICANI	First Named Inventor	Xing Su, et al.	
(use as	s many shee	ets as r	necessary)	Group Art Unit	2856	
				Examiner Name	Not yet assigned	
Sheet	5	of	5	Attorney Docket	42P14243	

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"Cantilever Arrays; Biochemical Sensor; DNA Sensor; Mass Sensor; and	
		Measurement Setup," Retrieved from the Internet on January 21, 2002,	
		URL:// <http: arrays.html="" nanoscience="" st="" www.zurich.ibm.com=""> 8 pages.</http:>	
		"Thermogravimetry," Retrieved from the Internet on March 8, 2002,	
	<u> </u>	URL:// <http: nanoscience="" st="" thermogravimetry.html="" www.zurich.ibm.com=""> 2 pages.</http:>	
		"Electrostatic Force-Feedback Force Sensor," Retrieved from the Internet on March 29, 2002,	
		URL:// <http: applyphys="" forcefeedback.html="" instruments="" spm="" www.ifm.liu.se=""> 2 pages.</http:>	
•			
		·	

xaminer Signature	Date Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in

conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

FORM PTO-1449 U.S. Department of Commerce Ratent and Trademark Office	Docket No.: INTEL1340-1 (P14243X)	Serial No.: 10/667,776
SEP 0 7 2004 6	Applicants: Su et al.	
INFORMATION DISCLOSURE STATEMENT	Filing Date:	Group Art Unit:
BY APPLICANTE AND	September 22, 2003	1637
& TRANSAR		

U.S. PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,739,425	04/14/1998	Binning et al.			
	AB	6,436,647 B1	08/20/2002	Quate et al.			
·	AC	2002/0102743 A1	08/01/2002	Majumdar et al.			

FOREIGN PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION (YES/NO)
	AD	WO 00/14539	03/16/2000	PCT			
	AE	WO 00/58729	10/05/2000	PCT			
	AF	WO 01/33226 A1	05/10/2001	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages)

	AG	Baselt, David R. et al., "Biosensor based on force microscope technology", J. Vac. Sci. Technol. B., Vol. 14, No. 2, pp. 789-793, 1996.
AH Bloch, Immanuel et al., "Optics with an Atom Laser Beam", T Society., Vol. 87, No. 3, pp. 030401-1-030401-4, 2001.		Bloch, Immanuel et al., "Optics with an Atom Laser Beam", <i>The American Physical Society.</i> , Vol. 87, No. 3, pp. 030401-1-030401-4, 2001.
	AI	Dutta, P. et al., "Enantioselective Sensors Based on Antibody-Mediated Nanomechanics", <i>Analytical Chemistry</i> , Vol. 75, No. 10, pp. 2342-2348, 2003.
	AJ	Fritz, J. et al., "Translating Biomolecular Recognition into Nanomechanics", <i>Science</i> , Vol. 288, pp. 316-318, 2000.
	AK	Han, J. and Craighead, H.G., "Separation of Long DNA Molecules in a Microfabricated Entropic Trap Array", Science, Vol. 288, pp. 1026-1029, 2000.
	AL	Guanghua, Wu et al, "Bioassay of prostate-specific antigen (PSA) using microcantilevers", <i>Nature Biotechnology</i> , Vol. 19, pp. 856-860, 2001.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.